

AMENDMENTS TO THE CLAIMS

1- 32 (Canceled).

33 (New). A method comprising

selecting a vertebral body for treatment having a cortical wall enclosing a cancellous bone volume,

providing a void creation device including an expandable structure adapted to undergo expansion in the cancellous bone volume, the expandable structure having at least one dimension so that the expandable structure will assume a predetermined shape and size when substantially expanded that compacts only a first volume of the cancellous bone volume to form a void, leaving a second volume of the cancellous bone volume substantially uncompacted by the expandable structure,

introducing the void creation device into the vertebral body through a percutaneous access path,

expanding the expandable structure in the cancellous bone volume to the predetermined shape and size to create the void,

leaving the second volume of the cancellous bone volume substantially uncompacted by the expandable structure, and

placing a filling material within the void through the percutaneous access path.

34 (New). A method according to claim 33

wherein the first volume of the cancellous bone volume comprises about 30% to 90% of the cancellous bone volume.

35 (New). A method according to claim 33

wherein the first volume of the cancellous bone volume comprises about 40% to 90% of the cancellous bone volume.

36 (New). A method according to claim 33

wherein the structure comprises an inflatable body.

37 (New). A method according to claim 33

wherein the structure comprises a balloon.

38 (New). A method according to claim 33

wherein the filling material placed within the void hardens within the void.

39 (New). A method according to claim 33
further including removing the structure from the void.